

appropriated such funds as are necessary to carry out the provisions of this chapter. The funds so appropriated shall not be available for payment of the expenses or expenditures of the Egg Board in administering any provisions of any order issued pursuant to the terms of this chapter.

(Pub. L. 93-428, § 20, Oct. 1, 1974, 88 Stat. 1179.)

CHAPTER 61—NOXIOUS WEEDS

- Sec.
 2801. Congressional findings.
 2802. Definitions.
 2803. Movement of noxious weeds into or through the United States or interstate.
 (a) Regulations.
 (b) Permits.
 (c) Unlawful sale, purchase, and transportation, and advertisements for unlawful sale, purchase, and transportation.
 2804. Quarantine.
 (a) Regulations for inspection.
 (b) Temporary quarantine of areas suspected of infestation; maximum period.
 (c) Promulgation after determination of necessity at public hearing.
 2805. Measures to prevent dissemination.
 (a) Emergency disposal of infested products and articles.
 (b) Orders requiring disposal by owner; enforcement.
 (c) Destruction, export, or return as the least drastic action.
 (d) Actions against United States by owners; limitations; just compensation for unlawful disposal.
 2806. Warrantless search of persons and goods; search of premises with warrants; issuance and execution of warrants.
 2807. Penalties.
 2808. Cooperation with other Federal, State, and local agencies.
 2809. Regulations.
 2810. Authorization of appropriations.
 2811. Inapplicability to certain shipments.
 2812. Inconsistent State and local laws.
 2813. Separability.
 2814. Management of undesirable plants on Federal lands.
 (a) Duties of agencies.
 (b) Environmental impact statements.
 (c) Cooperative agreements with State agencies.
 (d) Exception.
 (e) Definitions.
 (f) Coordination.
 (g) Authorization of appropriations.

§ 2801. Congressional findings

The importation or distribution in interstate commerce of noxious weeds, except under controlled conditions, allows the growth and spread of such weeds which interfere with the growth of useful plants, clog waterways and interfere with navigation, cause disease, or have other adverse effects upon man or his environment and therefore is detrimental to the agriculture and commerce of the United States and to the public health. The uncontrolled distribution within the United States of noxious weeds after their importation or interstate distribution has like detrimental effects and allowing such distribution encourages and facilitates the burdening and ob-

structing of interstate and foreign commerce, and is inimical to the public interest. Accordingly, the Congress hereby determines that the regulation of transactions in, and movement of, noxious weeds as provided in this chapter is necessary to prevent and eliminate burdens upon and obstructions to interstate and foreign commerce and to protect the public welfare.

(Pub. L. 93-629, § 2, Jan. 3, 1975, 88 Stat. 2148.)

SHORT TITLE

Section 1 of Pub. L. 93-629 provided: "That this Act [enacting this chapter] may be cited as the 'Federal Noxious Weed Act of 1974'."

§ 2802. Definitions

As used in this chapter, except where the context otherwise requires:

(a) "Secretary" means the Secretary of Agriculture of the United States or any other person to whom authority may be delegated to act in his stead.

(b) "Authorized inspector" means any employee of the Department of Agriculture, or any employee of any other agency of the Federal Government or of any State or other governmental agency which is cooperating with the Department in administration of any provisions of this chapter, who is authorized by the Secretary to perform assigned duties under this chapter.

(c) "Noxious weed" means any living stage (including but not limited to, seeds and reproductive parts) of any parasitic or other plant of a kind, or subdivision of a kind, which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation or the fish and wildlife resources of the United States or the public health.

(d) "United States" means any of the States, territories, or districts of the United States.

(e) "Interstate" means from any State, territory, or district of the United States into or through any other State, territory, or district.

(f) "District" means the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States.

(g) "Move" means deposit for transmission in the mails, ship, offer for shipment, offer for entry, import, receive for transportation, carry, or otherwise transport or move, or allow to be moved, by mail or otherwise.

(Pub. L. 93-629, § 3, Jan. 3, 1975, 88 Stat. 2148.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2809 of this title.

§ 2803. Movement of noxious weeds into or through the United States or interstate

(a) Regulations

No person shall import or enter any noxious weed identified in a regulation promulgated by the Secretary into or through the United States or move any noxious weed interstate, unless the movement is in accordance with such conditions as the Secretary may prescribe by regulation under this chapter to prevent the dissemination

into the United States, or interstate, of such noxious weeds.

(b) Permits

The regulations prescribed by the Secretary to implement subsection (a) of this section may include regulations requiring that any noxious weed imported or entered into the United States or moving interstate be accompanied by a permit issued by the Secretary prior to the movement of the noxious weed.

(c) Unlawful sale, purchase, and transportation, and advertisements for unlawful sale, purchase, and transportation

No person shall knowingly sell, purchase, barter, exchange, give, or receive any such noxious weed which has been moved in violation of subsection (a) of this section, or knowingly deliver or receive for transportation or transport, in interstate or foreign commerce, any advertisement to sell, purchase, barter, exchange, give, or receive any such noxious weed which is prohibited from movement in such commerce under this chapter.

(Pub. L. 93-629, § 4, Jan. 3, 1975, 88 Stat. 2149; Pub. L. 100-449, title III, § 301(f)(4), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103-465, title IV, § 431(f), Dec. 8, 1994, 108 Stat. 4968.)

AMENDMENTS

1994—Subsecs. (a), (b). Pub. L. 103-465 amended subsecs. (a) and (b) generally. Prior to amendment, subsecs. (a) and (b) read as follows:

“(a) No person shall knowingly move any noxious weed identified in a regulation promulgated by the Secretary into or through the United States or interstate, unless such movement is—

“(1) from Canada, or authorized under general or specific permit from the Secretary; and

“(2) made in accordance with such conditions as the Secretary may prescribe in the permit and in such regulations as the Secretary may prescribe under this chapter to prevent the dissemination into the United States, or interstate, of such noxious weeds.

“(b) The Secretary may refuse to issue a permit for the movement of any such noxious weed when, in his opinion, such movement would involve a danger of dissemination of such noxious weeds into the United States or interstate.”

1988—Subsec. (a). Pub. L. 100-449 amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “No person shall knowingly move any noxious weed, identified in a regulation promulgated by the Secretary, into or through the United States or interstate, unless such movement is authorized under general or specific permit from the Secretary and is made in accordance with such conditions as the Secretary may prescribe in the permit and in such regulations as he may promulgate under this chapter to prevent the dissemination into the United States, or interstate, of such noxious weeds.”

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103-465, set out as an Effective Date note under section 3601 of Title 19, Customs Duties.

EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENT

Amendment by Pub. L. 100-449 effective on the date the United States-Canada Free-Trade Agreement enters into force (Jan. 1, 1989), and to cease to have effect

on the date the Agreement ceases to be in force, see section 501(a), (c), of Pub. L. 100-449, set out in a note under section 2112 of Title 19, Customs Duties.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2807, 2809 of this title.

§ 2804. Quarantine

(a) Regulations for inspection

The Secretary may promulgate such quarantines and other regulations requiring inspection of products and articles of any character whatsoever and means of conveyance, specified in the regulations, as a condition of their movement into or through the United States and otherwise restricting or prohibiting such movement, as he deems necessary to prevent the dissemination into the United States of any noxious weeds, and it shall be unlawful for any person to move any products, articles, or means of conveyance into or through the United States contrary to any such regulation.

(b) Temporary quarantine of areas suspected of infestation; maximum period

Whenever the Secretary has reason to believe that an infestation of noxious weeds exist in any State, territory, or district, he may by regulation temporarily quarantine such jurisdiction, or a portion thereof, and by regulation may restrict or prohibit the interstate movement from the quarantined area of any products and articles of any character whatsoever and means of conveyance, capable of carrying such noxious weeds, and after promulgation of such quarantine and other regulations, it shall be unlawful for any person to move interstate from a quarantined area any such products, articles, or means of conveyance, specified in the regulations, except in accordance with such regulations: *Provided, however*, That such quarantine and regulations shall expire at the close of the ninetieth day after their promulgation.

(c) Promulgation after determination of necessity at public hearing

However, if, after public hearing, the Secretary determines, on the basis of the information received at the hearing and other information available to him, that such a quarantine and regulations are necessary in order to prevent the interstate spread of noxious weeds from any State, territory, or district in which he determines an infestation of noxious weeds exists, and to protect the agriculture, commerce, fish, or wildlife resources of the United States or the public health, he shall promulgate such quarantine and other regulations as he determines are appropriate for such purposes, and thereafter it shall be unlawful for any person to move interstate from any quarantined area any regulated products, articles, or means of conveyance except in accordance with such regulations.

(Pub. L. 93-629, § 5, Jan. 3, 1975, 88 Stat. 2149.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2807 of this title.

§ 2805. Measures to prevent dissemination**(a) Emergency disposal of infested products and articles**

Except as provided in subsection (c) of this section, the Secretary may, whenever he deems it necessary as an emergency measure in order to prevent the dissemination of any noxious weed, seize, quarantine, treat, destroy, or otherwise dispose of, in such manner as he deems appropriate, any product or article of any character whatsoever, or means of conveyance, which is moving into or through the United States or interstate, in bond or otherwise, and which he has reason to believe is infested by any noxious weed or contains any such weed, or which has moved into the United States, or interstate, and which he has reason to believe was infested by or contained any noxious weed at the time of such movement; and any noxious weed, product, article, or means of conveyance which is moving into or through the United States, or interstate, or has moved into the United States, or interstate, in violation of this chapter or any regulation hereunder.

(b) Orders requiring disposal by owner; enforcement

Except as provided in subsection (c) of this section, the Secretary may order the owner of any product, article, means of conveyance, or noxious weed subject to disposal under subsection (a) of this section, or his agent, to treat, destroy, or make other disposal of such product, article, means of conveyance, or noxious weed, without cost to the Federal Government and in such manner as the Secretary deems appropriate. The Secretary may apply to the United States District Court, or to the United States Court of any territory or possession, for the judicial district in which such person resides or transacts business or in which the product, article, means of conveyance, or noxious weed is found, for enforcement of such order by injunction, mandatory or otherwise. Process in any such case may be served in any judicial district wherein the defendant resides or transacts business or may be found, and subpoenas for witnesses who are required to attend a court in any judicial district in such a case may run to any other judicial district.

(c) Destruction, export, or return as the least drastic action

No product, article, means of conveyance, or noxious weed shall be destroyed, exported, or returned to shipping point of origin, or ordered to be destroyed, exported, or so returned under this section, unless in the opinion of the Secretary there is no less drastic action which would be adequate to prevent the dissemination of noxious weeds into the United States or interstate.

(d) Actions against United States by owners; limitations; just compensation for unlawful disposal

The owner of any product, article, means of conveyance, or noxious weed destroyed, or otherwise disposed of, by the Secretary under this section, may bring an action against the United States in the United States District Court for the District of Columbia, within one

year after such destruction or disposal, and recover just compensation for such destruction or disposal of such product, article, means of conveyance, or noxious weed (not including compensation for loss due to delays incident to determining its eligibility for movement under this chapter) if the owner establishes that such destruction or disposal was not authorized under this chapter. Any judgment rendered in favor of such owner shall be paid out of the money in the Treasury appropriated for administration of this chapter.

(Pub. L. 93-629, §6, Jan. 3, 1975, 88 Stat. 2149.)

§ 2806. Warrantless search of persons and goods; search of premises with warrants; issuance and execution of warrants

Any authorized inspector, when properly identified, shall have authority (a) without a warrant, to stop any person or means of conveyance moving into the United States, and inspect any noxious weeds and any products and articles of any character whatsoever, carried thereby, and inspect such means of conveyance, to determine whether such person or means of conveyance is moving any noxious weed, product, article, or means of conveyance contrary to this chapter or any regulation under this chapter; (b) without a warrant, to stop any person or means of conveyance moving through the United States or interstate, and inspect any noxious weeds and any products and articles of any character whatsoever carried thereby, and inspect such means of conveyance, to determine whether such person or means of conveyance is moving any noxious weed, product, article, or means of conveyance contrary to this chapter or any regulation thereunder, if such inspector has probable cause to believe that such person or means of conveyance is moving any noxious weed regulated under this chapter; and (c) to enter, with a warrant, any premises in the United States, for purposes of any inspections or other actions necessary under this chapter. Any judge of the United States or of a court of record of any State, territory, or district, or a United States commissioner, may, within his respective jurisdiction, upon proper oath or affirmation showing probable cause to believe that there are on certain premises any products, articles, means of conveyance, or noxious weeds subject to this chapter, issue warrants for the entry of such premises for purposes of any inspection or other action necessary under this chapter, except as otherwise provided in section 2808 of this title. Such warrants may be executed by any authorized inspector or any United States marshal.

(Pub. L. 93-629, §7, Jan. 3, 1975, 88 Stat. 2150.)

§ 2807. Penalties

Any person who knowingly violates section 2803 or 2804 of this title, or any regulation promulgated under this chapter, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or both.

(Pub. L. 93-629, §8, Jan. 3, 1975, 88 Stat. 2151.)

§ 2808. Cooperation with other Federal, State, and local agencies

(a) The Secretary is authorized to cooperate with other Federal agencies, agencies of States, territories, or districts, or political subdivisions thereof, farmers' associations, and similar organizations, and individuals in carrying out operations or measures in the United States to eradicate, suppress, control, or prevent or retard the spread of any noxious weed. The Secretary is authorized to appoint employees of other agencies of the Federal Government or any agencies of any State, territory, or district, or political subdivisions thereof, as collaborators to assist in administration of the provisions of this chapter, pursuant to cooperative agreements with such agencies, whenever he determines that such appointments would facilitate administration of this chapter.

(b) In performing the operations or measures authorized by subsection (a) of this section, the cooperating State or other governmental agency shall be responsible for the authority necessary to carry out the operations or measures on all lands and properties within the State or other jurisdiction involved, other than those owned or controlled by the United States Government, and for such other facilities and means as in the discretion of the Secretary are necessary.

(Pub. L. 93-629, § 9, Jan. 3, 1975, 88 Stat. 2151.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2806, 2810 of this title.

§ 2809. Regulations

The Secretary is authorized to promulgate regulations necessary to effectuate the provisions of this chapter. However, any regulation identifying a noxious weed under section 2803 of this title shall be promulgated only after publication of a notice of the proposed regulation and, when requested by any interested person, a public hearing on the proposal. Any such regulation shall be based upon the information received at any such hearing and other information available to the Secretary and a determination by the Secretary that the plant is within the definition of a noxious weed in section 2802(c) of this title and that its dissemination in the United States may reasonably be expected to have, to a serious degree, any effect specified in section 2802(c) of this title.

(Pub. L. 93-629, § 10, Jan. 3, 1975, 88 Stat. 2151.)

§ 2810. Authorization of appropriations

There are hereby authorized to be appropriated such sums as Congress may from time to time determine to be necessary for the administration of this chapter. Any sums so appropriated shall be available for expenditures for the purchase, hire, maintenance, operation, and exchange of aircraft and other means of conveyance, and for such other expenses as may be necessary to carry out the purposes of this chapter. However, unless specifically authorized in other legislation or provided for in appropriations, no part of such sum shall be used to pay the cost or value of property injured or destroyed under section 2808 of this title.

(Pub. L. 93-629, § 11, Jan. 3, 1975, 88 Stat. 2151.)

§ 2811. Inapplicability to certain shipments

The provisions of this chapter shall not apply to shipments of seed subject to the Federal Seed Act (7 U.S.C. 1551 et seq.) and this chapter shall not amend or repeal any of the provisions of said Act or of the Plant Quarantine Act of August 20, 1912 (7 U.S.C. 151-154, 156-164a, 167), the Federal Plant Pest Act (7 U.S.C. 150aa-150jj), or any other Federal laws.

(Pub. L. 93-629, § 12, Jan. 3, 1975, 88 Stat. 2152.)

REFERENCES IN TEXT

The Federal Seed Act, referred to in text, is act Aug. 9, 1939, ch. 615, 53 Stat. 1275, as amended, which is classified generally to chapter 37 (§ 1551 et seq.) of this title. For complete classification of this Act to the Code, see section 1551 of this title and Tables.

The Plant Quarantine Act, referred to in text, is act Aug. 20, 1912, ch. 308, 37 Stat. 315, as amended, which is classified generally to chapter 8 (§ 151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 151 of this title, and Tables.

The Federal Plant Pest Act, referred to in text, is Pub. L. 85-36, title I, May 23, 1957, 71 Stat. 31, as amended, which is classified generally to chapter 7B (§ 150aa et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 150aa of this title, and Tables.

§ 2812. Inconsistent State and local laws

The provisions of this chapter shall not invalidate the provisions of the laws of any State or political subdivision thereof, or of any territory or district of the United States relating to noxious weeds, except that no such jurisdiction may permit any action that is prohibited under this chapter.

(Pub. L. 93-629, § 13, Jan. 3, 1975, 88 Stat. 2152.)

§ 2813. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of this chapter and the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 93-629, § 14, Jan. 3, 1975, 88 Stat. 2152.)

§ 2814. Management of undesirable plants on Federal lands

(a) Duties of agencies

Each Federal agency shall—

(1) designate an office or person adequately trained in the management of undesirable plant species to develop and coordinate an undesirable plants management program for control of undesirable plants on Federal lands under the agency's jurisdiction;

(2) establish and adequately fund an undesirable plants management program through the agency's budgetary process;

(3) complete and implement cooperative agreements with State agencies regarding the management of undesirable plant species on Federal lands under the agency's jurisdiction; and

(4) establish integrated management systems to control or contain undesirable plant

species targeted under cooperative agreements.

(b) Environmental impact statements

In the event an environmental assessment or environmental impact statement is required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to implement plant control agreements, Federal agencies shall complete such assessments or statements within 1 year after the requirement for such assessment or statement is ascertained.

(c) Cooperative agreements with State agencies

(1) In general

Federal agencies, as appropriate, shall enter into cooperative agreements with State agencies to coordinate the management of undesirable plant species on Federal lands.

(2) Contents of plan

A cooperative agreement entered into pursuant to paragraph (1) shall—

(A) prioritize and target undesirable plant species or group of species to be controlled or contained within a specific geographic area;

(B) describe the integrated management system to be used to control or contain the targeted undesirable plant species or group of species; and

(C) detail the means of implementing the integrated management system, define the duties of the Federal agency and the State agency in prosecuting that method, and establish a timeframe for the initiation and completion of the tasks specified in the integrated management system.

(d) Exception

A Federal agency is not required under this section to carry out programs on Federal lands unless similar programs are being implemented generally on State or private lands in the same area.

(e) Definitions

As used in this section:

(1) Cooperative agreement

The term “cooperative agreement” means a written agreement between a Federal agency and a State agency entered into pursuant to this section.

(2) Federal agency

The term “Federal agency” means a department, agency, or bureau of the Federal Government responsible for administering or managing Federal lands under its jurisdiction.

(3) Federal lands

The term “Federal lands” means lands managed by or under the jurisdiction of the Federal Government.

(4) Integrated management system

The term “integrated management systems” means a system for the planning and implementation of a program, using an interdisciplinary approach, to select a method for containing or controlling an undesirable plant species or group of species using all available methods, including—

- (A) education;
- (B) preventive measures;
- (C) physical or mechanical methods;
- (D) biological agents;
- (E) herbicide methods;
- (F) cultural methods; and
- (G) general land management practices such as manipulation of livestock or wildlife grazing strategies or improving wildlife or livestock habitat.

(5) Interdisciplinary approach

The term “interdisciplinary approach” means an approach to making decisions regarding the containment or control of an undesirable plant species or group of species, which—

(A) includes participation by personnel of Federal or State agencies with experience in areas including weed science, range science, wildlife biology, land management, and forestry; and

(B) includes consideration of—

(i) the most efficient and effective method of containing or controlling the undesirable plant species;

(ii) scientific evidence and current technology;

(iii) the physiology and habitat of a plant species; and

(iv) the economic, social, and ecological consequences of implementing the program.

(6) State agencies

The term “State agency” means a State department of agriculture, or other State agency or political subdivision thereof, responsible for the administration or implementation of undesirable plants laws of a State.

(7) Undesirable plant species

The term “undesirable plants” means plant species that are classified as undesirable, noxious, harmful, exotic, injurious, or poisonous, pursuant to State or Federal law. Species listed as endangered by the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.] shall not be designated as undesirable plants under this section and shall not include plants indigenous to an area where control measures are to be taken under this section.

(f) Coordination

(1) In general

The Secretary of Agriculture and the Secretary of the Interior shall take such actions as may be necessary to coordinate Federal agency programs for control, research, and educational efforts associated with Federal, State, and locally designated noxious weeds.

(2) Duties

The Secretary, in consultation with the Secretary of the Interior, shall—

(A) identify regional priorities for noxious weed control;

(B) incorporate into existing technical guides regionally appropriate technical information; and

(C) disseminate such technical information to interested State, local, and private entities.

(3) Cost share assistance

The Secretary may provide cost share assistance to State and local agencies to manage noxious weeds in an area if a majority of landowners in that area agree to participate in a noxious weed management program.

(g) Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary in each of fiscal years 1991 through 1995 to carry out this section.

(Pub. L. 93-629, §15, as added Pub. L. 101-624, title XIV, §1453, Nov. 28, 1990, 104 Stat. 3611.)

REFERENCES IN TEXT

The National Environmental Policy Act of 1969, referred to in subsec. (b), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

The Endangered Species Act of 1973, referred to in subsec. (e)(7), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of Title 16 and Tables.

CHAPTER 62—BEEF RESEARCH AND INFORMATION

Sec.	
2901.	Congressional findings and declaration of policy.
2902.	Definitions.
2903.	Issuance of orders.
2904.	Required terms in orders.
2905.	Certification of organizations to nominate.
	(a) Eligibility of State organization certified by Secretary; eligibility criteria.
	(b) State cattle association or State general farm organization.
	(c) Factual report basis for certification of State cattle association and State general farm association.
	(d) Certification of more than one State organization; caucus.
2906.	Requirement of referendum.
	(a) Continuation or termination of order.
	(b) Additional referendum to determine suspension or termination of order.
	(c) Reimbursement for cost of referendum; time and place of referendum; certification by producers; absentee mail ballot.
2907.	Refunds.
	(a) Establishment of escrow account.
	(b) Funding escrow account.
	(c) Demand and receipt of one-time refund.
	(d) Form and time period for demand for one-time refund.
	(e) Submission of proof for one-time refund.
	(f) Insufficiency of funds in escrow account; proration of funds among eligible persons.
2908.	Enforcement.
	(a) Restraining order; civil penalty.
	(b) Jurisdiction of district court.
	(c) Civil action to be referred to Attorney General.
2909.	Investigations by Secretary; oaths and affirmations; subpoenas; judicial enforcement; contempt proceedings; service of process.
2910.	Preemption of other Federal and State programs; applicability of provisions to amendments to orders.

Sec.

2911. Authorization of appropriations.

2912 to 2918. Omitted.

§ 2901. Congressional findings and declaration of policy

(a) Congress finds that—

(1) beef and beef products are basic foods that are a valuable part of human diet;

(2) the production of beef and beef products plays a significant role in the Nation's economy, beef and beef products are produced by thousands of beef producers and processed by numerous processing entities, and beef and beef products are consumed by millions of people throughout the United States and foreign countries;

(3) beef and beef products should be readily available and marketed efficiently to ensure that the people of the United States receive adequate nourishment;

(4) the maintenance and expansion of existing markets for beef and beef products are vital to the welfare of beef producers and those concerned with marketing, using, and producing beef products, as well as to the general economy of the Nation;

(5) there exist established State and national organizations conducting beef promotion, research, and consumer education programs that are invaluable to the efforts of promoting the consumption of beef and beef products; and

(6) beef and beef products move in interstate and foreign commerce, and beef and beef products that do not move in such channels of commerce directly burden or affect interstate commerce of beef and beef products.

(b) It, therefore, is declared to be the policy of Congress that it is in the public interest to authorize the establishment, through the exercise of the powers provided herein, of an orderly procedure for financing (through assessments on all cattle sold in the United States and on cattle, beef, and beef products imported into the United States) and carrying out a coordinated program of promotion and research designed to strengthen the beef industry's position in the marketplace and to maintain and expand domestic and foreign markets and uses for beef and beef products. Nothing in this chapter shall be construed to limit the right of individual producers to raise cattle.

(Pub. L. 94-294, §2, May 28, 1976, 90 Stat. 529; Pub. L. 99-198, title XVI, §1601(b), Dec. 23, 1985, 99 Stat. 1597.)

AMENDMENTS

1985—Pub. L. 99-198 amended section generally.

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1601(c) of Pub. L. 99-198 provided that: "The amendments made by this section [amending this section and sections 2902 to 2911 of this title, omitting sections 2912 to 2918 of this title and provisions set out as a note under this section, and enacting provisions set out as a note under this section] shall take effect on January 1, 1986."

EFFECTIVE DATE

Section 21 of Pub. L. 94-294 provided that: "This Act [enacting this chapter and provisions set out as notes